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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/380,447	09/01/1999	Sachdev S. Sidhu	P1581R2	2633
23552	7590	05/14/2004	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			TRAN, MY CHAU T	
			ART UNIT	PAPER NUMBER

1639

DATE MAILED: 05/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20040512

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

1) Applicant's amendment filed 2/26/04 is acknowledged and entered. Claims 2, 5-6, 10, and 13-28 have been canceled. Claims 1, and 11-12 have been amended. Claims 29-51 have been added.

2) However, the amendment filed is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):  
There is a great deal of confusion regarding the newly added claims with respect to the elected invention of claims 1, 3-4, 7-9, and 11-12, and especially their relationship to the elected species. This is elaborated upon below.

Applicant's election of species are as follows: a) major coat protein gp VIII of a phage; b) an antibody or fragment thereof as the heterologous protein; c) M13 as the filamentous phage; and d) the following amino acid for each position: Position No./Amino Acid: 1/D, 2/K, 3/S, 4/E, 5/K, 6/F, 7/S, 8/R, 9/D, 11/Y, 12/E, 13/A, 14/L, 15/E, 16/D, 17/I, 18/I, 19/T, 20/N, 21/L, 22/F, 23/F, 24/L, 25/L, 26/G, 27/T, 28/V, 29/Y, 30/V (i.e. the amino acid sequence of the major coat protein variant).

For example, the newly added claimed include SEQ ID NOs but applicant did not indicate how these SEQ ID NOs corresponds to the elected amino acid sequence. Applicants are required to specifically note which SEQ ID NOs corresponds to the elected protein.

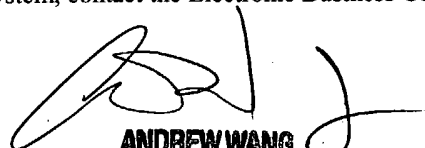
Thus, the amendment filed is not fully responsive to the prior Office Action.

3) Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a). See 37 CFR 1.111.

4) Any inquiry concerning this communication or earlier communications from the examiner should be directed to My-Chau T. Tran whose telephone number is 703-305-6999. The examiner can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Wang can be reached on 703-306-3217. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mct  
May 12, 2004

PTO-90C (Rev.04-03)

  
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